

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SOFIA VASQUEZ, HERMENEGILDO CANDIA, and
MAIRA NARANJO,

Plaintiffs,

-v-

NUEVO TULCINGO AZTECA CORP. d/b/a NUEVO
AZTECA, GILBERTO MOLINA, and ANGEL MOLINA,

Defendants.

CIVIL ACTION NO. 23 Civ. 355 (PGG) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

On March 21, 2023, the Clerk of Court issued a Certificate of Default as to Defendants Nuevo Tulcingo Azteca Corp., Gilberto Molina, and Angel Molina (“Defendants”). (ECF No. 23). Plaintiffs Sofia Vasquez, Hermenegildo Candia, and Maira Naranjo (“Plaintiffs”) then moved for entry of a default judgment. (ECF Nos. 24–25 (the “Default Judgment Motion”)). On June 25, 2024, however, Attorney Gil Santamarina appeared on behalf of Defendants (ECF No. 41), in response to which the Court ordered: (1) Defendants to file any answer to the Complaint by Wednesday, August 14, 2024 and (2) Plaintiffs to withdraw the Default Judgment Motion by Monday, August 19, 2024, assuming Defendants had filed an answer. (ECF No. 43).

On August 14, 2024, Defendants filed their Answer (ECF No. 44), and on August 19, 2024, Plaintiffs requested to withdraw the Default Judgment Motion (ECF No. 45). Consequently, the Court orders as follows:

1. The Default Judgment Motion is deemed WITHDRAWN.
2. An initial conference in accordance with Fed. R. Civ. P. 16 will be held on **Monday, October 7, 2024 at 3:00 p.m.** on the Court's conference line. The parties are directed to call: (866) 390-1828; access code: 380-9799, at the scheduled time. At the conference, the parties must be prepared to discuss the subjects set forth in Fed. R. Civ. P. 16(b) and (c).
3. Counsel shall meet and confer in accordance with Fed. R. Civ. P. 26(f) no later than **Monday, September 16, 2024**—21 days before the Initial Case Management Conference. No later than one week before the conference—by **Monday, September 30, 2024**—the parties shall file a Report of Rule 26(f) Meeting and Proposed Case Management Plan, via ECF, signed by counsel for each party. A template is available at <https://www.nysd.uscourts.gov/hon-sarah-l-cave>. To the extent the parties disagree about any portion of the Proposed Case Management Plan, they may set forth their respective proposals for the disputed provision, without argument.

Dated: New York, New York
August 20, 2024

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge